

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA**

AVIATION TRAINING DEVICES, INC.,

Plaintiff,

vs.

FLIGHT SAFETY SERVICES  
CORPORATION,

Defendant.

Case No. 19-CV-215-JFH-FHM

**OPINION AND ORDER**

The Motion to Compel filed by Plaintiff, [Dkt. 60], has been fully briefed, [Dkt. 60, 62, 64], and is before the court for decision.

The parties agree that the discovery sought has been provided and the only issue now before the court is whether the circumstances merit an award of the expenses of the motion, including attorney fees as provided by Fed.R.Civ.P. 37(a)(5)(A) since discovery responses were provided after the motion to compel was filed. The court finds that, under the circumstances presented, no award of expenses will be made as the difficulties in providing extensive discovery during the pandemic shutdown would make an award of expenses unjust.

The Motion to Compel, [Dkt. 60], is DENIED as MOOT, the parties to each bear their own expenses.

SO ORDERED this 23rd day of June, 2020.

  
FRANK H. McCARTHY  
UNITED STATES MAGISTRATE JUDGE